

**Title 5 – Division 1
Family Law**

**RULE 5101
WHERE TO FILE DOCUMENTS**

Geographical Regions

All documents initiating or responding to actions arising out of the Family Code, including Adoptions, Petitions for Freedom from Parental Control and Custody, and actions involving the Department of Child Support Services shall be filed in the relevant region at the courthouse specified below:

FAMILY LAW PROCEEDINGS

[Excluding Department of Child Support Services' cases, in Family Law proceedings local form Declaration of Residence shall be filed along with the initial petition.]

Western Region
Riverside – Family Law
4175 Main Street
Riverside, CA 92501

Banning (92220), Beaumont (92223), Cabazon (92230), Calimesa (92320), Corona (92860, 92877, 92878, 92879, 92880, 92881, 92882, 92883), Mira Loma (91752), Moreno Valley (92551, 92552, 92553, 92554, 92555, 92556, 92557), Riverside (92501, 92502, 92503, 92504, 92505, 92506, 92507, 92508, 92509, 92513, 92514, 92515, 92516, 92517, 92518, 92519, 92521, 92522), and Whitewater (92282).

Mid County Region
Hemet Court
880 N. State Street
Hemet, CA 92543

Aguanga (92536), Anza (92539), **[Canyon Lake (92587),]** Hemet (92543, 92544, 92545, 92546), Homeland (92548), Idyllwild (92549), Lake Elsinore (92530, 92531, 92532), Menifee (92584), Mountain Center (92561), Murrieta (92562, 92563, 92564), Lakeview/Nuevo (92567), Perris (92570, 92571, 92572), San Jacinto (92581, 92582, 92583), Sun City (**[92584,]** 92585, 92586, ~~92587~~), Temecula (92589, 92590, 92591, 92592, 92593), Wildomar (92595), and Winchester (92596).

Desert Region
Indio Court
Larson Justice Center
46-200 Oasis Street
Indio, CA 92201-5961

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (~~example~~).

Cathedral City (92234, 92235), Coachella (92236), Desert Center (92239), Desert Hot Springs (92240, 92241), Indian Wells (92210), Indio (92201, 92202, 92203), La Quinta (92247, 92248, 92253), Mecca (92254), Palm Desert (92211, 92255, 92260, 92261), Palm Springs (92258, 92262, 92263, 92264, 92292), Rancho Mirage (92270), Thermal (92274, 92275), and Thousand Palms (92276).

Blythe Region
Blythe Court
265 N. Broadway
Blythe, CA 92225

Blythe (92225, 92226, 92280), Ripley (92225)

ADOPTIONS AND FREEDOM FROM PARENTAL CONTROL AND CUSTODY

Western Region
Riverside Family Court
4175 Main St.
Riverside, CA 92501

Banning (92220), Beaumont (92223), Cabazon (92230), Calimesa (92320), Corona (92860, 92877, 92878, 92879, 92880, 92881, 92882, 92883), Mira Loma (91752), Moreno Valley (92551, 92552, 92553, 92554, 92555, 92556, 92557), Riverside (92501, 92502, 92503, 92504, 92505, 92506, 92507, 92508, 92509, 92513, 92514, 92515, 92516, 92517, 92518, 92519, 92521, 92522), and Whitewater (92282).

Mid County Region
Hemet Court
880 N. State Street
Hemet, CA 92543

Aguanga (92536), Anza (92539), **[Canyon Lake (92587),]** Hemet (92543, 92544, 92545, 92546), Homeland (92548), Idyllwild (92549), Lake Elsinore (92530, 92531, 92532), Menifee (92584, 92585, 92586, 92587, 92596), Mountain Center (92561), Murrieta (92562, 92563, 92564), Lakeview/Nuevo (92567) Perris (92570, 92571, 92572), San Jacinto (92581, 92582, 92583), Sun City (**[92584,]** 92585, 92586, ~~92587~~), Temecula (92589, 92590, 92591, 92592, 92593), Wildomar (92595), and Winchester (92596).

Desert Region
Indio Court
Larson Justice Center
46-200 Oasis Street
Indio, CA 92201-5961

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (~~example~~).

Blythe (92225, 92226), Cathedral City (92234, 92235), Coachella (92236), Desert Center (92239), Desert Hot Springs (92240, 92241), Indian Wells (92210), Indio (92201, 92202, 92203), La Quinta (92247, 92248, 92253), Mecca (92254), Palm Desert (92210, 92211, 92255, 92260, 92261), Palm Springs (92258, 92262, 92263, 92264, 92292), Rancho Mirage (92270), Thermal (92274, 92275), and Thousand Palms (92276).

RULE 5150

~~FAMILY LAW~~ MANDATORY SETTLEMENT CONFERENCES AND TRIALS

1. Before answering ready for a Mandatory Settlement Conference **[(MSC)]**, parties (and/or attorneys) shall complete and exchange Preliminary Declarations of Disclosure and shall provide and file the proof of service of same with the court no later than the conference date. However, if one of the parties fails to cooperate in completing and exchanging the Preliminary Declarations of Disclosure, the party in compliance may file an ~~At-Issue Memorandum~~ **[a Request for Settlement Conference and Trial]** and a Mandatory Settlement Conference will be set.
2. **[The following shall be filed with the court and served on the other party at least ten (10) days prior to the Mandatory Settlement Conference date:**
 - a) **Completed Settlement Conference Declaration or a Mandatory Settlement Conference Brief with comparable information. This describes the disputed and undisputed issues in a case, and includes a settlement offer.**
 - b) **Completed Income and Expense Declaration (FL-150)**
 - c) **Completed Schedule of Assets and Debts (FL-142)**
 - d) **Completed Property Declarations for Community and Separate Property (FL-160)**
 - e) **Copies of Child Custody/Visitation Orders or Agreements, if any.**
 - f) **Copies of Spousal Support Orders or Agreements, if any.**
 - g) **Copies of all other written agreements between the parties.**
 - h) **The last two (2) paycheck stubs.**
 - i) **Most recent tax return.**
 - j) **Bank statements showing the balance of checking or savings accounts at the date of separation.**
 - k) **Documents showing the amount of debt owed at the date of separation (e.g., credit card statements).**
 - l) **If Spousal/Partner Support is an issue, a completed Spousal or Partner Support Declaration Attachment (FL-157). The FL-157 should be attached to a Declaration form (MC-030) and filed separately with the court.**
 - m) **If Attorney Fees & Costs is an issue, a completed Request for Attorney's Fees and Costs Attachment (FL-319) and a Supporting Declaration for Attorney's Fees and Costs Attachment (FL-158). The FL-319 and FL-158 should be attached to a Declaration form (MC-030) and filed separately with the court.**

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (example).

3. Failure of one party to appear at the Mandatory Settlement Conference, or failure to comply with these rules, without good cause will likely result in sanctions including but not limited to:

- a) Striking the pleading of the non-appearing party such that the case can proceed by default;
- b) Evidence or issue sanctions;
- c) Monetary Sanctions; and/or
- d) Continuance of the Mandatory Settlement Conference.]

~~A. Failure of one party to appear at the MSC may result in the striking of the At-Issue and/or the imposition of sanctions.~~

~~No appearance by either side at the MSC will result in placing the trial off calendar and striking the At-Issue Memorandum.~~

~~B. Sanctions. Unless good cause is shown, sanctions will be imposed against the attorney and/or litigant for failure to:~~

- ~~1. Appear timely at the MSC.~~
- ~~2. Comply with required preparation for the MSC.~~
- ~~3. Submit all required documentation at the MSC.~~

~~The amount and nature of sanctions, if imposed, are within the discretion of the Court.~~

~~Attorney fees may also be imposed at the discretion of the Court.~~

RULE 5153

TRIAL RULES AND PROCEDURES

Trial Rules and Procedures shall be adhered to countywide except as modified on record by the court.

No later than 10 days before the Trial Readiness Conference, **[or 10 days before trial, if no Trial Readiness Conference is set,]** all attorneys and self-represented parties shall:

- 1. Meet and confer and prepare:
 - a) A list of disputed issues, with a short explanation of each;
 - b) A statement of facts from each side; and
 - c) A signed stipulation as to undisputed issues of fact and law, and exhibits, which can be admitted without foundation.
- 2. Each party must provide to the court at the time of the Trial Readiness Conference, **[or 10 days before trial, if no Trial Readiness Conference is set,]** the following:
 - a) Current Income and Expense Declarations including the last three pay stubs, the last two years income tax returns, corporate income tax returns if applicable, 1099's for the last two years and any and all information tending to assist the court in deciding questions of income.
 - b) Copies of any cases the parties wish the court to read prior to trial.

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (example).

- c) On one sheet of paper, set out how the property and debts should be divided and how any equalization payment should be handled.
 - d) A list of witnesses and a short statement as to what they will testify to.
 - e) Items (a), (b), and (c) from paragraph #1 above.
 - f) All of the above items shall be submitted to the clerk and marked received. Necessary items will be filed by the court on the date of trial.
3. ~~All parties and their counsel shall be present at the Trial Readiness Conference. The Court will not accept a "Traditional Trial Brief" in lieu of the items required by this order, but such a brief may be submitted in addition if desired.~~
4. All exhibits shall be pre-marked by attorneys and exchanged before the day of trial.
[Petitioner's exhibits shall be marked with numbers (1, 2, 3, etc.) and the Respondent's' exhibits marked with letters (A, B, C, etc.).]
5. Reporter fees shall be paid by each party prior to 12:00 noon on **[at the time the case is set for trial, for]** each day of trial.
6. Trials shall be continued only by the judicial officer upon a motion and a showing of good cause. If parties are not prepared to go forward on the date of the Trial Readiness Conference and there is no good cause to continue, the matter will be taken off calendar and the At-Issue **[Request for Settlement Conference and Trial]** stricken.
7. Failure of one party to appear at the Trial Readiness Conference, or failure to comply with these rules, without good cause will likely result in ~~one or more of the following~~ sanctions **[including but not limited to]**: (a) Striking that party's pleadings, such that the case can proceed by default; (b) Evidence or issue sanctions; or (c) Monetary sanctions.
8. ~~This document incorporates by reference the minutes of the court of the date this matter is set for trial and serves as notice of trial pursuant to GCP §594 (a) and (b).~~
9. FAILURE to notify the court if the case has been settled prior to the trial date will still result in payment of the costs for the Court Reporter. If applicable, notification of settlement should be presented to the court no later than **[the]** Friday preceding the trial.

RULE 5170

~~MANDATORY SETTLEMENT CONFERENCES~~

- 1. ~~Before answering ready for a Mandatory Settlement Conference, parties (and/or attorneys) shall complete and exchange Preliminary Declarations of Disclosure and shall provide and file the Proof of Service of same with the court no later than the conference date. However, if one of the parties fails to cooperate in completing and exchanging the Preliminary Declarations of Disclosure, the party in compliance may file an At-Issue Memorandum and a Mandatory Settlement Conference will be set.~~
- 2. ~~Form(s) 1285.70, Property Declaration (community and separate if appropriate) with values and proposed division of all property in dispute shall be served on the opposing party at least fourteen (14) days prior to the Mandatory Settlement Conference date.~~

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (example).

~~3. Failure to comply with the above procedures may result in all or some of the following:~~

- ~~a) The striking of the at-issue of the case,~~
- ~~b) Monetary sanctions,~~
- ~~c) Continuance of the Mandatory Settlement Conference.~~

~~4. In addition to the above, each Judicial Officer may develop and promulgate their own courtroom policies for the conduct of Mandatory Settlement Conferences.~~

RULE 5175

COURT ORDERED CHILD CUSTODY EVALUATIONS

This rule is adopted in compliance with California Rules of Court, Rule 5.220: ~~Uniform Standards of Practice for Court-Ordered Child Custody Evaluations.~~

1) Peremptory Challenges to **[Child Custody]** Court Evaluators

~~a) Court Employees: When a Court Evaluator is appointed, other than if the appointment is made in court when both parties are present, each side is permitted one peremptory challenge to the assigned evaluator within five (5) court days of receiving the written notification of assignment. The party's copy of the "Order Appointing Court Evaluator Pursuant to Family Code 3111" shall serve as written notice.~~

- a) ~~Private Child Court Evaluators:~~ When a private **[child custody]** evaluator is appointed, other than by stipulation, each side will be permitted one peremptory challenge of a specific **[child custody]** evaluator.

2) Withdrawal From a Case. An **[child custody]** evaluator has the right to withdraw from a case upon a showing of good cause before the trial court that made the appointment.

3) Complaints Regarding **[Child Custody]** Evaluators.

~~a) Court Employees: Complaints regarding the conduct of and/or procedures employed by a child custody Evaluator appointed by the Court shall be sent to the Supervising Court Evaluator for review. If the complaint has been lodged about a court staff evaluator, the Supervising Court Evaluator shall determine what action, if any, shall be taken.~~

a) ~~Private Evaluators: Complaints~~ **[about the performance of a]** ~~regarding the conduct of and procedures employed by a private child custody evaluator~~ **[shall be in writing and directed to the Child Custody Recommending Counseling Manager for review and written response within thirty (30) days from the date the written complaint was received.]** ~~appointed by the Court are the responsibility of the trial court judicial officer who made the appointment and the appropriate professional licensing board. The trial court judge may determine what action, if any, should be taken.~~

4) Ex Parte Communication. Absent a stipulation to the contrary, there shall be no ex parte communication between the attorneys for either party and a ~~Court staff or private court-~~appointed **[child custody]** evaluator, or between the **[child custody]** evaluator and the court. ~~except with regard to the scheduling of appointments.~~ Minor's counsel may exchange both oral Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (example).

and written ex parte communications with an evaluator pursuant to Family Code § 3151. No attorney or party to the action shall provide the **[child custody]** evaluator with documents pertaining to the case without first providing the other side and any attorney of record for the child a copy of the document.

5) Child Custody Evaluators Compliance with Training **[Requirements and Qualifications]**

~~a) Court employees: The Court Evaluation Unit shall arrange for the Court Evaluator to complete the Domestic Violence training per California Rules of Court 5.230 prior to them submitting their first court report. The Court Evaluators shall comply with California Rules of Court 5.225.~~

a) ~~Private Evaluators: Court appointed Child Custody Evaluators shall~~ **[document that they meet the qualifications and training requirements pursuant to California Rules of Court, Rule 5.225 and 5.230, and Family Code §§ 1815, 1816 and 3111 by filing with the court Judicial Council form FL-326 Declaration of Private Child Custody Evaluator Regarding Qualifications. The FL-326 will be filed within 10 days of the appointment and prior to initiating evaluation services on a case.]** ~~attach a copy of their certificate of completion of the initial 12 hours of advanced in-person classroom instruction and the most recent 4 hour update training in Domestic Violence to each child custody evaluation report. Certificate of compliance with mandate for initial and updated training in Domestic Violence shall be a sine qua non requirement for the appointment by the court of any professional as a Child Custody Evaluator.~~

Additions are shown with bold and brackets (**[example]**). Deletions are shown by strikeout (example).